



Tyngsborough Board of Health

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Sheila Perrault, Vice-Chairman
Christopher Mellen

Bernadette Harper
Patricia Quinn

Board of Health Meeting Minutes February 13, 2012

Members Present: Sheila Perrault (SP), Christopher Mellen (CM), Bernadette Harper
Also Present: Kerri C. Oun (KO) – Health Agent, Karen Steeves (KS), Matt Waterman (MW) – Landtech Consultant

6:10 Meeting Opened:

BH: Made motion to open meeting
CM: 2nd the motion
Vote: yes – 3 no – 0

6:11 400 Dunstable Road

Attorney Peter Nicosia and owner Pino Colanste were present to address BOH concerns and gave updates on 400 Dunstable Road. Attorney Nicosia stated that his client has received a letter from the Board of Health with the following concerns on a passed Title V Inspection at 400 Dunstable Road: clarification on Title V, deep hole testing to determine estimated seasonal ground water, water testing, and Methylene blue active substances (MBAS) test. So far, they have clarified the Title V and provided a letter from Frontier Lab on the water sampling reports for the past 2 years. Jeff Hannaford (engineer) will contact MW for deep hole testing. The only issue that was delayed was the MBAS test. The test is obscure and Frontier Lab does not do MBAS testing. MW clarified that the septic system is within the zone of influence of the public water supply. He has contacted DEP and DEP recommended further testing. He spoke with Nashoba Analytical Lab and they have recommended MBAS (detergent) test. The building was built around 1971. The owner did the Title V inspection because he had hoped to sell the building. He had considered tying to sewer but the hook up fee is \$250,000 plus installation. Since the septic system is operating, he preferred to stay on septic. Owner claimed system is pumped 3x/ year.

BH: Made motion to accept proposal for the deep hole and MBAS testing.

CM: Second the motion

Vote: yes – 3 no – 0

6:30 33 Middlesex Road

Attorney Nicosia and his clients (Fran Glavin and Sam Glavin) were present to discuss with the Board regarding 33 Middlesex Road. They contacted the BOH office on Thursday and are here for open discussion with the Board. They are interested in purchasing 3 units from Dunbar. Dunbar Property owned 8 bay units at 33 Middlesex Road. They are retaining the 5 units and are selling 3. Currently, the property has a failed septic system. The potential owners want to find out their options before purchasing the property. They want to know if they purchase the property, can they:

1. Repair/ Replace instead of tie in to sewer.
2. If the repair / replace – can they get occupancy before repair/ replace?
3. If not repair and replace is allowed, what are the reasons?

The intended uses for the bays are staging area, construction yard, and storage of trucks and equipments. At this time, tie-in to sewer is cost prohibitive due to the hook-up fee. The cost is \$5200 per unit plus installation. Their 3 bays at this point only have one restroom. It does not use too much water and is not taxing to the system. MW explained that Tyngsborough is unique in that some part of Tyngsborough has private sewer and some is public. SP asked if Dunbar is open to repair and replacing of the system. Attorney Nicosia said yes they are. At this point, they want to buy the 3 bays and want to be able to move in. They want to close the deal and have the money set aside for repair. At this point, there is no imminent health threat. The Board agreed to allow temporary occupancy and since it is cost prohibitive and not financially feasible, the owners have 2 years to repair and replace the septic system from date of Title V. KS will send the letter to Attorney Nicosia regarding general agreement from the Board of Health.

6:55 Meeting Minutes for January 9, 2012

BH: Made motion to accept meeting minutes from January 9, 2012.

CM: 2nd the motion.

Vote: Yes – 3 No – 0

6:56 Olive Garden

CM wanted update on Olive Garden. He wants to know if repairs had been made? CM wants to know if the Board of Health receives pumping record and are we obligated to get the records. KS said they we do receive pumping records of grease traps and septic systems. The pumping records for septic system may a list of properties on one form from the pumping company or it may be sent in individually for each properties. She kept those records on file.

In the summer, CM has few people in Town approached him on the issue of smell and should we require them to pump on a regularly basis. SP explained that there are no set rules as to how often properties or establishments should pump. Initially when Olive Garden opened up, there was an issue of an odor emanating from vent/ piping underneath. That issue was addressed. Currently there is a new issue that we are working with Olive Garden. Olive Garden has sent in a report to the BOH and MW will review the report.

7:10 Administrative Assistant Report

Budget: KS reported that \$24,720 is being transferred from the Waste budget to the general fund under Town Warrant for this Wednesday Town meeting.

Sharp Kiosks: KS provided Board with list of suppliers with pricing for sharp kiosks. By July 2012, Law goes into effect that all sharp cannot be disposed of in trash. Board agreed that KO and KS should decide which kiosk works best and should get kiosk.

CM: made motion to have sharp kiosk for sharp collection

BH: 2nd the motion

Vote: yes – 3 no - 0

Maple Ridge: TA wants BOH opinion in writing for the Maple Ridge Article for this Wednesday special Town Meeting. SP signed statement that BOH is against article.

BH: made motion to not support Trash and recycling service for Maple Ridge.

CM: 2nd the motion

Vote: yes -3 No - 0

Gross Alpha – will carry over to next meeting

Cardboard Dumpster at the Elementary School: KS reported that she has spoken to TA and there is not a good place to put in the dumpster. She suggested that we should remove the dumpster all together. SP suggested to note the issue on cable, website and Neighbor to Neighbor newsletter before taking action. KS said she will send announcement to all media.

Flu – KS reported that we had one flu clinic, home visits, and clinics at the schools. All total, there were about 138 shots given. KS felt that the flu clinic is not worth the work: There are many people

that do not provide insurance information; there are about 10 people who are on Medicare; and the State may no longer provide vaccine to people with insurance. With the 10 people on Medicare, she has to bill Medicare 2 at a time. Medicare requires you to bill at least once every quarter to remain active in their system. The Board agreed but decided that we should not make any decision yet. SP felt that we should at least get vaccines for home bound residents.

Health Agent's Report:

KO reported that 2 bids for the Household Hazardous Waste have come in. PSC has lowest bid. KO reported CM had found PSC #s for the state contract that is lower than the bid they provided. KO has contacted PSC representative to see if we can get 3 years contract with the #s they provided for the State. She has not heard from him yet.

CM: Made motion to either get a 3 years contract with the State #s if PSC are able to match the # or reject all bids and go with 1 year contract with the State-wide contract FAC53.

BH: 2nd the motion

Vote: yes – 3 no - 0

8:06 CM: Motion to adjourn

BH: 2nd the motion

Vote: yes – 3 Opposed – 0

Respectfully for the Board of Health
Kerri C. Oun
Health Agent